



PATENT
Customer No. 22,852
Attorney Docket No. 02860.0755

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Mitsuru MIMORI et al.)	Group Art Unit: 2627
)	
Application No.: 10/693,935)	Examiner: NGUYEN, LINH THI
)	
Filed: October 28, 2003)	
)	
For: OBJECTIVE OPTICAL ELEMENT)	Confirmation No.: 3971
AND OPTICAL PICKUP)	
APPARATUS)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION REQUIREMENT

In an Office Action mailed July 13, 2006, the period for response having been extended to September 13, 2006 by a Petition for Extension of Time - One Month and appropriate fee payment, the Examiner required an election under 35 U.S.C. § 121 between the following allegedly patentably distinct species:

Species I - Figs. 1-2;

Species II - Figs. 3-12;

Species III - Figs. 13-17; and

Species IV - Figs. 18-19.

Without necessarily agreeing with any of the assertions or characterizations of the claims made in the Office Action, Applicants provisionally elect to prosecute Species II - Figs. 3-12. At least claims 39-59 read on Figs. 3-12.

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 12, 2006

By: 

Michael W. Kim
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